

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BENJAMIN CLARK,

Petitioner,

v.

Case No. 1:12-cv-58 RB/WDS

JAMES LOPEZ, Warden

Respondent.

ORDER

THIS MATTER comes before the Court *sua sponte*. In this habeas proceeding pursuant to 28 U.S.C. § 2241, Petitioner challenges the forfeiture of earned good-time credits, a sanction imposed on him as punishment for alleged prison misconduct. The Court's review of the record indicates that prison officials' determination of Petitioner's guilt was based in part on confidential information that is summarized but not disclosed on the record. [Doc. 8-1 at 44.]

Respondent shall submit for *in camera* review the confidential information the Hearing Officer relied on in determining that Petitioner was guilty of the charge of A(1) murder in Log # J-07-308, and any documents or other information the Hearing Officer used to determine that the confidential information was reliable. *See Taylor v. Wallace*, 931 F.2d 698, 702 (10th Cir. 1991) (prison officials may submit evidence *in camera* to justify their determination that confidential information was reliable). The Court contemplates the information Respondent will submit pursuant to this Order will be the same information submitted under seal to the First Judicial District Court, County of Santa Fe, State of New Mexico. [Doc. 8-2 at 1; Doc. 8-2 at 5.] Respondent shall submit the information to chambers no later than May 18, 2012.



W. DANIEL SCHNEIDER
UNITED STATES MAGISTRATE JUDGE